

INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Saint Paul District
 FILE NUMBER: MVP- 2005-1101-GRK
 REGULATORY PROJECT MANAGER: Knapton

Date: 03/01/2005

PROJECT REVIEW/DETERMINATION COMPLETED: In the office? Y ☒ N ☐
 At the project site? Y ☐ N ☐

Date: 03/01/2005

Date:

PROJECT LOCATION INFORMATION:

State: Wisconsin

County: Outagamie

Center coordinates of site by latitude & longitude: 44.2794267154, -88.564856752

Approximate size of site/property (including uplands) in acres: 24

Name of waterway or watershed: Rat River/Wolf River watershed

Type of Aquatic Resource ¹ :	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Ft	Unknown
Lake									
River									
Stream									
Mudflat									
Sandflat									
Wetlands			X						
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?				X	

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary ☐ Or Approved: ☒

ADDITIONAL INFORMATION SUPPORTING njd (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite): **The wetland is along the fringe of an abandoned gravel pit. According to the application submitted, the wetland is not associated with any surface water system or other wetland areas. The soils in the area are not hydric.**

The area consists of approximately 24 acres of upland with a depressional area caused by the removal of non-metallic materials. This has resulted in water ponding within the depression. There is no evidence of the area being used for irrigation or currently being used for mining.